

REMARKS/ARGUMENTS

Claims 1-9 and 11-16 are pending in the present application, of which claims 1 and 5 are independent. Claims 4, 8, and 16 are hereby amended.

The courtesies extended to Applicant's representative by Examiner Joseph O. Schell during the telephonic interview held on February 3, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

CLAIM OBJECTIONS

Page 2 of the Office Action objects to claims 4 and 8. First, the Examiner suggests inserting "be" before "written" in claim 4. Applicant agrees with this suggestion and has amended claim 4 accordingly. Applicant also amends similar language in claim 16 in the same manner. Second, the Examiner suggests that "the exchange of data" in claim 8 lacks antecedent basis. In response, Applicant hereby deletes "the" before "exchange."

Having addressed both issues, Applicant respectfully requests withdrawal of the objections to claims 4 and 8. Applicant also respectfully submits that entry of this Amendment-After-Final is proper because it complies with a requirement of

form expressly set forth in a previous Office Action. See M.P.E.P. § 714.12 and C.F.R. § 1.116(b)(1).

REJECTIONS UNDER 35 U.S.C. § 103

Pages 3-6 of the Office Action reject claims 1, 3-1, 5, 6, 8-6, 9-5, 9-6, 11, 13, and 14 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Published U.S. Patent Application No. 2003/0226059 to Braun (hereinafter “Braun”). Pages 6-9 of the Office Action reject claims 2, 3-2, 7, 8-7, and 9-7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Braun in view of the Wikipedia article on Uninterruptible Power Supply (hereinafter “UPS”). Pages 9-10 of the Office Action reject claims 4-1 and 16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Braun in view of U.S. Patent No. 5,421,006 to Jablon (hereinafter “Jablon”). Pages 10-11 of the Office Action reject claim 4-2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Braun in view of UPS and Jablon. Pages 11-12 of the Office Action reject claims 12 and 15 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Braun in view of U.S. Patent No. 6,314,532 to Daudelin (hereinafter “Daudelin”). Applicant respectfully traverses all of these rejections for the reasons listed below.

According to M.P.E.P. § 715, when any claim of a patent application is rejected, the inventor of the subject matter of the rejected claim may submit an

appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based. In this case, the Examiner has rejected all of the claims under 35 U.S.C. § 103(a) using Braun. The Braun reference has a filing date of May 30, 2002 and cannot claim an earlier priority date.

Applicant respectfully submits herewith Declarations under 37 C.F.R. § 1.131 ("Declarations") from Martin Wagner, first named inventor in the Application, and Matthias Muth, the second named inventor. The Declarations aver that the subject matter recited in claims 1-9 and 11-16 was invented by the named inventors prior to May 30, 2002, the effective U.S. filing date of Braun. Therefore, Applicant respectfully submits that Braun is not available as prior art.

For at least the forgoing reasons, Applicant respectfully requests that the rejections under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the remarks above, Applicant believes that each of the rejections and objections has been overcome and the application is in condition for allowance. In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account. Should there be any remaining

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issues that could be readily addressed over the telephone, the Examiner is asked to contact the attorney overseeing the application file, Aaron Waxler of NXP Corporation, at (408) 474-5256.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: February 16, 2009

A handwritten signature in black ink, appearing to read 'Arlir M. Amado', written over a horizontal line.

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